



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> September 1, 2006 <b>LOCAL EFFECTIVE DATE</b> September 15, 2006 <b>APPROX FINAL EFFECTIVE DATE</b> October 6, 2006	<b>CONTACT/PHONE</b> Marsha Lee 788-2008	<b>APPLICANT</b> Mario Mangano	<b>FILE NO.</b> DRC2005-00230
<b>SUBJECT</b> Request by Mario Mangano for a Minor Use Permit/Coastal Development Permit to allow the demolition of an existing 1700 square foot single family residence and construction of a new 3044 square foot single family residence and attached 630 square foot garage resulting in 2461 square feet of footprint and 3737 square feet of gross structural area. The project will result in the disturbance of approximately 4,000 square feet of 5430 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 5134 Nottingham Drive, Park Hill neighborhood, in the community of Cambria. The site is in the North Coast planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit/Coastal Development Permit DRC2005-00230 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 3 Categorical Exemption pursuant to CEQA guidelines section 15303 was issued on July 13, 2006 (ED06-104).			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> AS/CAZ/LCP	<b>ASSESSOR PARCEL NUMBER</b> 022-283-016	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Setbacks, Height, Footprint <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Local Coastal Program, Coastal Appealable <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/park	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: gently sloping	VEGETATION: Ornamental grass and shrubs
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: July 13, 2006

**PLANNING AREA STANDARDS** The project complies with the setbacks and height requirements.

**COASTAL ZONE LAND USE ORDINANCE STANDARDS:**

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan. The site is coastal appealable.

**COASTAL PLAN POLICIES:** This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

**Cultural Resources:**

*Policy 4. Preliminary Site Survey for Development within Archaeologically Sensitive Areas. A Cultural Resource Investigation of APN 022-283-016 was prepared by John Parker, Ph.D., RPA on June 19, 2006. Four isolated pieces of marine shell were discovered during the field inspection. No other historic or prehistoric cultural materials were observed during the field inspection. Conclusions and Recommendations: No significant cultural resources exist on this parcel. It is recommended that the proposed project be approved as planned.*

**Public Works:**

*Policy 1: Availability of Service Capacity applies to the project. CCSD comment: Customer has already complied with District requirements.*

**Coastal Watersheds:**

*Policy 7: Siting of new development: The proposed project is consistent with this policy because the new residence will be located on an existing lot of record in the Residential Single Family category with a slope of less than 20 percent.*

*Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15, the project is required to have an erosion and sedimentation control plan, and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

*Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan showing that the construction of the new residence will not increase erosion or runoff.*

**Hazards:**

*Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.*

*Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

**Visual and Scenic Resources:**

*Policy 1: Protection of Visual and Scenic Resources: The project is located across Nottingham Drive from the coastal bluff park. The design and colors are compatible with the surrounding neighborhood and with the scenic coastal resources.*

**Does the project meet applicable Coastal Plan Policies:** Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: No comment

**AGENCY REVIEW:**

Public Works – Recommend approval

Cambria Community Services District – No comment, customer has already complied with District requirements.

Building – No issues

**LEGAL LOT STATUS:**

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Marsha Lee and reviewed by Matt Janssen

## **EXHIBIT A - FINDINGS**

### *Environmental Determination*

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is the demolition of an existing single family residence and attached garage and construction of a new single family residence and attached garage.

### *Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

### *Coastal Access*

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project will not inhibit access to the coastal waters and recreation areas.

## **EXHIBIT B - CONDITIONS OF APPROVAL**

### **Authorized Use**

1. This approval authorizes the demolition of an existing 1700 square foot single family residence and construction of a new 3044 square foot single family residence and attached 630 square foot garage resulting in 2461 square feet of footprint and 3737 square feet of gross structural area. All permits shall be consistent with the approved site plan, floor plans, and elevations.

### **Conditions to be completed prior to issuance of a construction permit**

#### ***Grading, Drainage, Sedimentation and Erosion Control***

2. **Prior to issuance of construction permits**, if grading is to occur between October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
3. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department.

#### ***Fire Safety***

4. **Prior to issuance of a construction permit**, the applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

#### ***Cambria Community Services District***

5. **Prior to issuance of a building permit**, the applicant shall apply for a remodel of existing service and pay impact fees to the CCSD.

#### ***Landscape Plan***

6. **Prior to issuance of construction permit**, the applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

#### ***Miscellaneous***

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

### **Conditions applicable throughout project construction**

8. **Setbacks:**  
Front- Lancaster = 10 feet  
Side (west) Corner – Nottingham Drive – 10 feet

Side (east) – 3 feet  
Rear – 5 feet

9. The maximum height of the project is 28 feet (from average natural grade).
  - a. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
  - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
  - c. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

***Grading, Drainage, Sedimentation and Erosion Control***

10. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
11. Permanent erosion control devices shall be installed prior to or concurrently with on-site grading activities.
12. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
13. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.
14. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices in place.

***Cambria Community Services District***

15. Existing water fixtures shall be retrofitted to current standards under District Ordinance 3-88 as amended.
16. The owners shall provide the District with a copy of county building permit issued for this project.

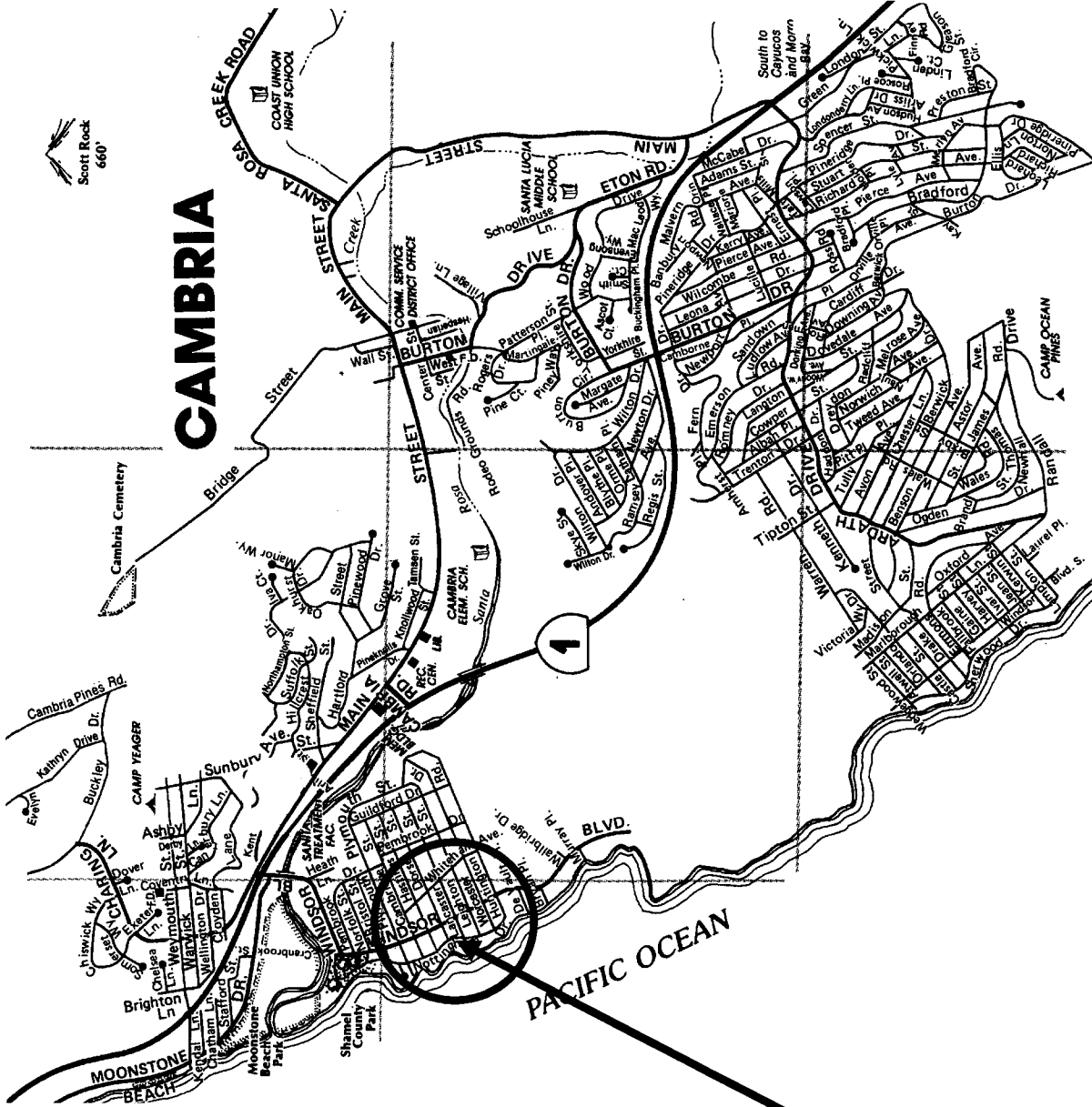
**Conditions to be completed prior to occupancy or final building inspection  
/establishment of the use**

***Fire Safety***

17. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

***Miscellaneous***

18. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
19. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').
30. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



# CAMBRIA

# SITE

EXHIBIT

Vicinity Map



PROJECT

Minor Use Permit

Mangano DRC2005-00230





**SITE**

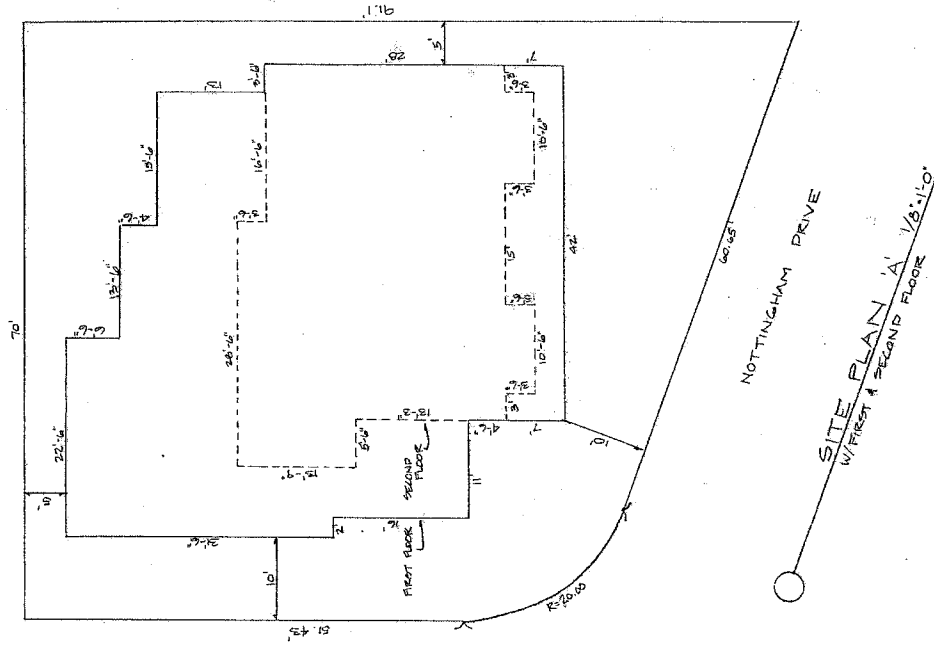
**PROJECT**

Minor Use Permit  
Mangano DRC2005-00230

**EXHIBIT**

Land Use Category





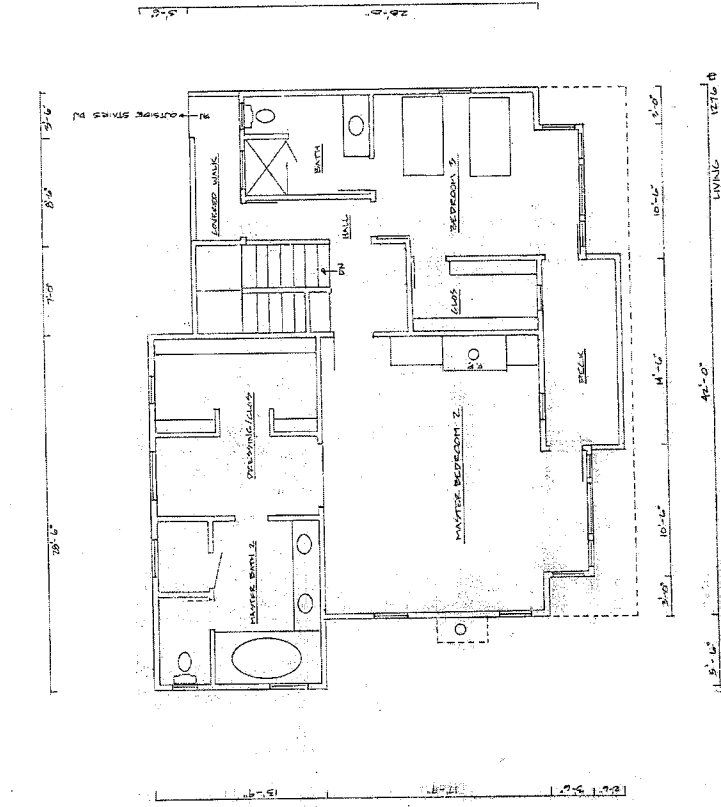
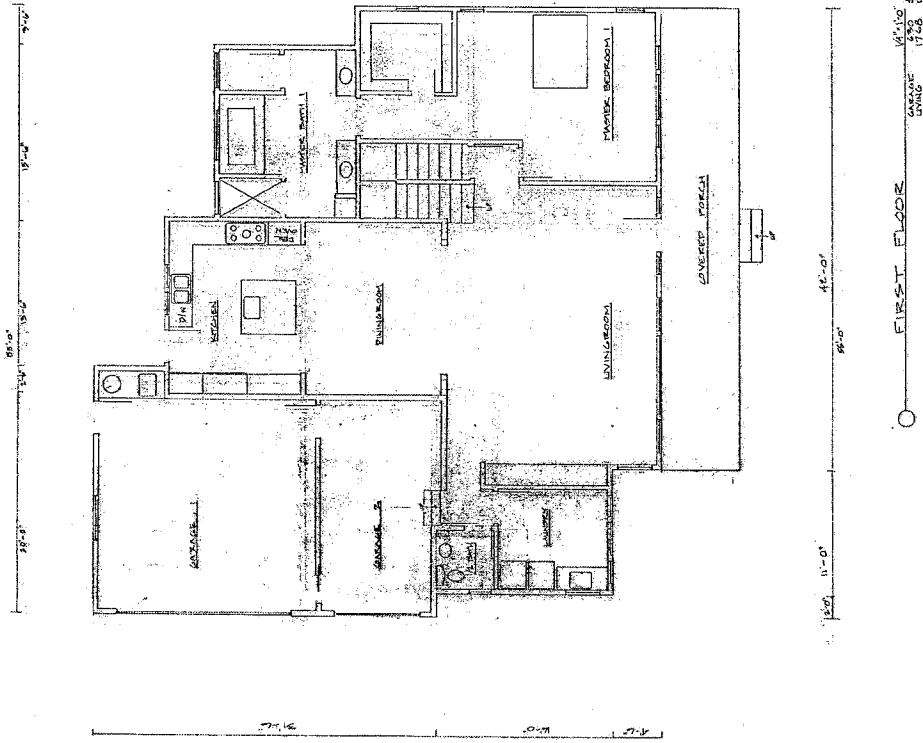
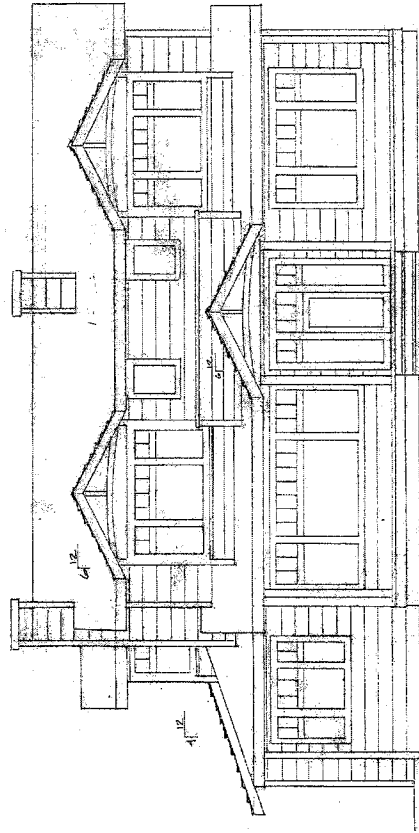


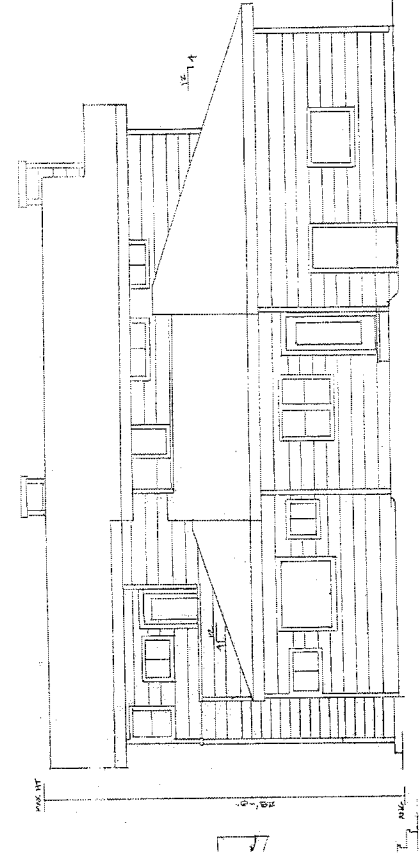
EXHIBIT Floor Plan



PROJECT Minor Use Permit  
Mangano DRC2005-00230



FRONT 1/4\"/>



REAR 1/4\"/>

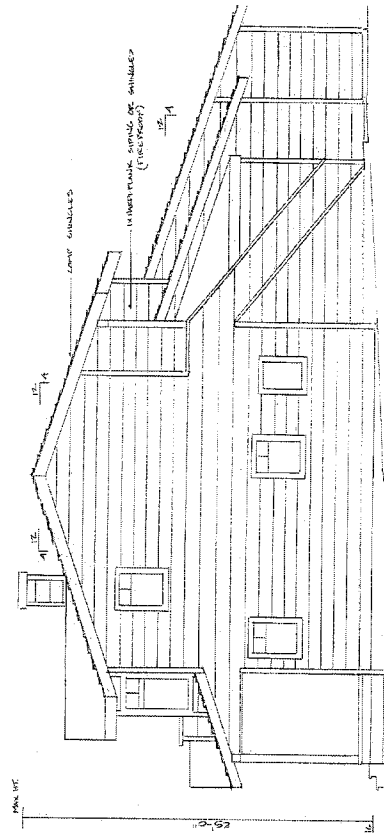
PROJECT

Minor Use Permit  
Mangano DRC2005-00230

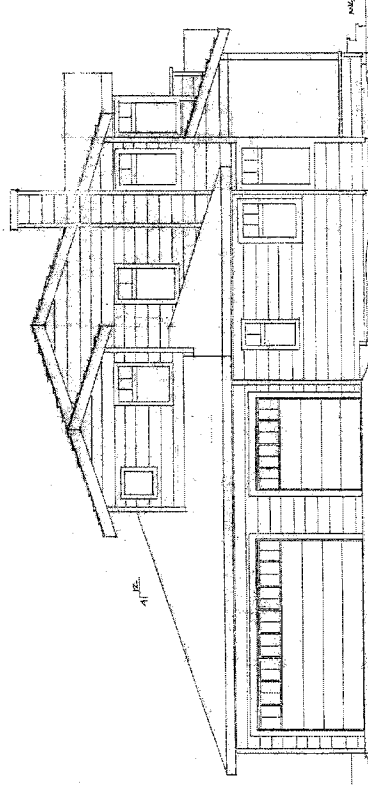
EXHIBIT

Elevations





RIGHT 1/4\"/>



LEFT 1/4\"/>

PROJECT

Minor Use Permit  
Mangano DRC2005-00230

EXHIBIT

Elevations



